

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue Department - Disciplinary action against Sri S.Appa Reddy, M.R.O. (Retd)- Departmental proceedings u/r 20 of the APCS (CC&A) Rules - Punishment of withholding 10% Pension for a period of (5) years - Orders - Issued.

REVENUE(VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 1045

Dated:06-07-2013
Read the following:

- 1) From the CCLA's Lr.No.VS- I(3)/242/2006, Dated.02.12.2011
- 2) Government Memo No.12672/Vig.II(1)/2006-4, Dated.17.01.2012
- 3) Representation from Sri S.Appa Reddy, M.R.O.(Retd)
Dated.26.5.2006
- 4) Government Memo No.12672/Vig.II(1)/2006-7, Dated.14.11.2012
- 5) Representation from Sri S.Appa Reddy, M.R.O.(Retd)
Dated.04-01-2012.
- 6)Government. Letter No.12672/Vig.II(1)/2006-8, Dated. 22-2-2013
and 9-4-2013.
- 7)From the Secy A.P.P.S.C.Lr.No.582/RT/1/2013, Dated.22.05.2013

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In the reference 1st read above, the Chief Commissioner of Land Administration, Hyderabad has furnished proposals to Government stating that charges framed against Sri S.Appa Reddy, Tahsildar for not taking action for removal of encroachments from the subject land and for fixation of land price to 45,000/- per acre against the existing basic Land Administration, Hyderabad which was enquired by the Vigilance & Enforcement Department into the alleged irregularities in the sale of land belonging to Pabbati Kapilavaivari Dharma Satram, Kondapalli (V), Ibrahimpatnam, Krishna District and while furnishing the Appraisal Report requested value of Rs.91,500. The Chief Commissioner of Land Administration, while enclosing all the material papers, has stated that the individual retired from service on 30-04-2006 and requested the Government to finalise the disciplinary case under Rule 9 of A.P. Revised Pension Rules, 1980. Government have examined the matter and requested the Chief Commissioner of Land Administration to continue the disciplinary action by appointing Enquiry Officer to conduct regular enquiry into the charges framed against Sri S.Appa Reddy, formerly Mandal Revenue Officer (Retd) and to furnish the enquiry report within a period of (3) months for taking further action against the Mandal Revenue Officer (Retd). Accordingly, the Chief Commissioner of Land Administration has appointed the Joint Collector, Krishna District as Inquiry Officer and District Revenue Officer, Krishna District as Presenting Officer to enquire into the charges framed against the Charged Officer. The Inquiry Authority after conducting the enquiry, has submitted Enquiry Report dt.01.10.2011 has stated that the charge framed against Sri S.Appa Reddy, formerly Mandal Revenue Officer, is held proved.

2. After examining the matter, in the reference 2nd cited Government have communicated the enquiry report to the Charged Officer Sri S.Appa Reddy, Mandal Revenue Officer (Retired) for his representation.

(P.T.O)

3. Sri S.Appa Reddy Mandal Revenue Officer (Retd) has submitted representation stating that his explanation dated:26.05.2006 submitted to the Chief Commissioner of Land Administration, written brief submitted to the Joint Collector, and Inquiring Authority on 26-05-2011 and to the Government dated.14-02-2012 stand good. He finally submitted that in the Article of Charges it was mentioned that he has fixed unreasonable market value of 45,000/- per acre to the lands pertaining Pabbatahi Kapilavivarla Dharma Satram at Kondapalli village whereas the basic value is Rs.91,500/- per acre. He has not fixed the market value of the said lands, but he stated that it is reasonable to fix up the Market value at Rs.45,000/- per acre by informing the basic value of Rs.91,500/- per acre in view of the locational disadvantages. The disadvantages have already been submitted in his previous representations. He further submitted that in his previous representations he issued the certificate to the Assistant Commissioner, Endowments Department, Vijayawada wherein he mentioned the basic value of the land in question as Rs.91,500/- per acre. He reported both the values i.e., basic value and market value, the rates reported by him are not final and binding on the Endowments Department and the said department would be at liberty either to accept or reject the rates furnished by him. He also submitted that the punishment proposed is very hard and un-just. His pensionary benefits have also been kept pending and it would be very difficult to him to get on with his life even if the full pension is sanctioned. He further submitted that he was awarded a certificate of merit by the Collector, Krishna on 26th January, 2006 for rendering meritorious service while discharging his duties.

4. Finally he has requested to consider his submissions sympathetically, and the Article of Charges may kindly be dropped as the land in question is under the possession of the Government/Institution, the spell of suspension period of 3 days may also be regularized and he may be allowed to a peaceful retirement life after serving the department for 37 years with devotion to duty.

5. After examining the representation of Sri S.Appa Reddy, Mandal Revenue Officer (Retd), Government find that the explanation of the individual is not at all convincing. As the competent authority it was his duty to assess the market value of the land in question and while doing so he is expected to keep in mind the Basic value of the land fixed for the purposes of levy of Stamp Duty and Registration Charges for sale and the market value based on sale statistics of similar land in the vicinity. Even at the time of fixation of Basic Value of the lands by Stamps & Registration Department the input of revenue authorities is taken into account. In this case it has been proved during enquiry that the Delinquent Officer has undervalued the land acquired to cause pecuniary loss to Government and corresponding gain to the purchaser of the land. This proves his dishonest motive. Hence Government have decided to confirm the provisional decision i.e. to impose a punishment of withholding 10% pension for the period of (5) years against on Sri S.Appa Reddy, Mandal Revenue Officer (Retd). after due consultation with the A.P. Public Service Commission Accordingly, Government hereby order to impose a punishment of 10% (Ten Percent) cut in pension for period of five (5) years on Sri S.Appa Reddy, Mandal Revenue Officer (Retd). A copy of the opinion of A.P. Public Service Commission in the matter is enclosed.

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The Chief Commissioner of Land Administration, Hyderabad is requested to take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S.Appa Reddy, Mandal Revenue Officer (Retd).,
(through the Special Chief Secretary &
the Chief Commissioner of Land Administration,
Hyderabad).

The Special Chief Secretary &
the Chief Commissioner of Land Administration,
Hyderabad

Copy to:

The Collector, Krishna District.

The District Treasury Officer, Krishna District.

The Accountant General, A.P., Hyderabad.

The Secretary, A.P. Public Service Commission,
Hyderabad.

S.c. / S.f.

// Forwarded :: by Order//

Section Officer